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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,551	09/27/2001	Hiroki Hachiyama	60188-099	8913

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EXAMINER
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THOMPSON, JAMES A

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/963,551

Applicant(s)

HACHIYAMA ET AL.

Examiner

James A. Thompson

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2624

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "the image processor presents the series of images sequentially". However, a mere image processor does not have the capability of displaying anything. Is there a display included as part of the image processing system? Currently, there is no recitation of any means in claim 1 whereby images may be displayed. Therefore, the language of claim 1 is inconsistent and does not distinctly claim the subject matter which Applicant regards as the invention.

Art Unit: 2624

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuchta (US Patent 5,164,831).

**Regarding claim 1:** Kuchta discloses an image processor (figures 1a-1b of Kuchta) for capturing an image of an object (column 3, lines 31-34 of Kuchta) and recording image data, and representing image data, on a storage medium (column 3, lines 56-58 and column 4, lines 5-8 of Kuchta), wherein while image data, representing a series of images captured consecutively, is being transferred to the storage medium (figure 1(18) and column 4, lines 47-50 of Kuchta), the image processor presents the series of images sequentially in an order in which the images have been captured (column 4, lines 53-58 and lines 66-68 of Kuchta).

**Regarding claim 2:** Kuchta discloses an image processor (figures 1A-1B of Kuchta) comprising an imager (figure 1A(10) of Kuchta) for capturing an image of an object (column 3, lines 32-34 and lines 38-42 of Kuchta) and outputting image data representing the image captured (column 3, lines 47-55 of Kuchta); a compressor/expander (figure 1B("Image Compression") of Kuchta) which receives and compresses the image data and then outputs the compressed image data (column 4, lines 1-5 and lines 53-55 of Kuchta) or which receives and expands the compressed image data and then outputs the expanded image data (column 7,

Art Unit: 2624

lines 20-24 of Kuchta); an image memory (figure 1A(24) of Kuchta) for storing the compressed image data thereon (column 4, lines 5-8 and lines 53-58 of Kuchta); a display memory (figure 1A(18) of Kuchta) for storing the expanded image data thereon (column 4, lines 34-38 and lines 47-50 of Kuchta); a display (figure 1A(30) of Kuchta) for presenting thereon the expanded image data that has been once stored on the display memory (column 4, lines 65-68 and column 7, lines 30-33 of Kuchta); and an interface (figure 1A(26) of Kuchta) for recording the compressed image data, which has once been stored on the image memory, on a storage medium (column 3, lines 56-58 of Kuchta), wherein if the imager has captured a series of images consecutively (column 4, lines 47-50 of Kuchta), the image memory stores compressed image data that represents the series of images captured (column 4, lines 1-8 of Kuchta), and wherein the compressor/expander expands the compressed image data (column 4, lines 53-58 of Kuchta), representing the series of images (column 4, lines 47-50 of Kuchta), and then outputs the expanded image data to the display memory so that the series of images are presented on the display (column 4, lines 65-68 and column 7, lines 30-33 of Kuchta) sequentially in an order in which the images have been captured (column 4, lines 34-38 and lines 47-50 of Kuchta), while the compressed image data, representing the series of images (column 4, lines 47-50 of Kuchta), is being transferred from the image memory to the storage medium (column 5, lines 29-35 of Kuchta). The digital images are allowed to "stack up" while being stored in the display memory in the order in which the images are captured (figure 1A("Frame 1,2,3"); column 4, lines 34-38; and lines 47-50 of Kuchta) and are later stored in compressed format in the

Art Unit: 2624

same order (figure 2B and column 4, lines 58-65 of Kuchta) while being displayed by the display (column 5, lines 29-35 of Kuchta).

**Regarding claim 3:** Kuchta discloses that the compressor/expander produces a reduced-size image for each said image captured (column 4, lines 53-55 of Kuchta) and compresses the reduced-size image to obtain and output the compressed image data (column 4, lines 56-58 and column 5, lines 29-31 of Kuchta), and that the compressor/expander expands the compressed image data (column 7, lines 30-34 of Kuchta), representing the series of images (column 4, lines 47-50 of Kuchta), and then outputs the expanded image data to the display memory so that the reduced-size versions of the series of images can be presented one by one on the same display (column 4, line 65 to column 5, line 6 of Kuchta) in the order in which the images have been captured (figure 2B; column 6, line 27-31; and column 7, lines 47-52 of Kuchta). Since the reduced-resolution ("thumbnail") image is taken from the DCT before being saved with the compressed high-resolution image data (column 5, lines 29-35 of Kuchta), the reduced-resolution data is compressed.

**Regarding claim 4:** Kuchta discloses that the compressor/expander expands the compressed image data (column 7, lines 30-34 of Kuchta), representing each of the series of images which is being transferred to the storage medium (figure 2B and column 4, lines 47-50 of Kuchta), and then outputs the expanded image data to the display memory so that each said image being transferred can be presented on the display (column 7, lines 47-52 of Kuchta).

Art Unit: 2624

**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Norihisa Haneda, US Patent 6,016,184, 18 January 2000.

Prabhu et al., US Patent Application Publication  
2004/0212700 A1, 28 October 2004, Continuation of  
Application 09/549,356 filed 14 April 2000 which is a non-  
provisional of provisional application 60/137,078 filed 02  
June 1999.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is 571-272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James A. Thompson  
Examiner  
Art Unit 2624

JAT  
26 April 2005



THOMAS D.  
~~THOMAS D.~~ LEE  
PRIMARY EXAMINER